DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-4550/2dn JK&RAC:hmh;jf

January 9, 2002

Paul:

This draft includes references to the new appropriation and to the "reduction" calculation that were not included in the first version.

Joseph T. Kreye Legislative Attorney
Phone: (608) 266–2263
E-mail: joseph.kreye@legis.state.wi.us

Champagne, Rick

From:

Ziegler, Paul

Sent:

Wednesday, January 09, 2002 2:43 PM

To:

Kreye, Joseph; Champagne, Rick

Cc:

Hoadley, Frank; Koskinen, John; Johnston, James; Schmiedicke, David

Subject:

Shared Revenue Draft

Joe & Rick:

Please make the following changes to draft #4550/2 -- Modify the amounts and funding for shared revenue in 2002 and 2003:

Add a new sum sufficient appropriation from the permanent endowment fund under s.20.855(4) as follows:

"From the permanent endowment fund, the amounts determined by the secretary of administration, to be deposited in one or more of the sinking funds of the bond security and redemption fund under s.18.08(1), including escrow agreements that are authorized by the building commission and the secretary of admistration."

Estimate the expenditures under this new sum sufficient appropration at \$200 million in FY02 and zero in FY03.

- Amend s.25.69 to reflect the creation of this new appropration.
- Modify the \$545 million of tobacco endowment funding to be used for CY02 shared revenue (in FY03) to be \$545 million less the amount the secretary of administration expects to be expended from the new tobacco appropriation for debt service during the 2001-03 biennium. (While we expect this amount to be \$345 million, we want flexibility to adjust according to what occurs with debt service.)

If necessary, modify the langauge requiring all remaining funds in the tobacco permanent endowment fund to be used to pay a portion of CY03 shared revenue on June 30th, 2003 to reflect the new "tobacco debt service" appropriation.

Please contact me with any questions (6-5468). Questions pertaining to the construct of the new "tobacco debt service" appropriation may be directly addressed to Frank Hoadley.

Thank you.

Paul

Champagne, Rick

From:

Ziegler, Paul

Sent:

Wednesday, January 09, 2002 3:18 PM

To: Subject: Champagne, Rick FW: slight modification

----Original Message--

From:

Hoadley, Frank

Sent:

Wednesday, January 09, 2002 3:00 PM

Ziegler, Paul

Subject:

RE: slight modification

Yes.

----Original Message-----

From: Ziegler, Paul

Wednesday, January 9, 2002 2:53 PM

Hoadley, Frank

Subject:

FW: slight modification

-----Original Message--

From:

Champagne, Rick

Sent:

Wednesday, January 09, 2002 2:53 PM

Ziegler, Paul

Subject: RE: slight modification

Shouldn't the reference be to s. 18.09 (1)?

----Original Message-

From:

Ziegler, Paul

Sent:

Wednesday, January 09, 2002 2:47 PM

To: Kreye, Joseph; Champagne, Rick

Subject:

slight modification

----Original Message----

From:

Hoadley, Frank

Sent:

Wednesday, January 09, 2002 2:43 PM

To: Ziegler, Paul

Subject:

Slightly modified language from Foley & Lardner:

An appropriation is created: "From the permanent endowment fund, the amounts determined by the secretary of administration, to be deposited in one or more of the sinking funds of the bond security and redemption fund under s.18.08(1), including escrow accounts that are established under escrow agreements that are authorized by the secretary of administration."

Champagne, Rick

From:

Ziegler, Paul

Sent: To: Wednesday, January 09, 2002 2:47 PM Kreye, Joseph; Champagne, Rick

Subject:

slight modification

----Original Message-----

From:

Hoadley, Frank

Sent:

Wednesday, January 09, 2002 2:43 PM

To:

Ziegler, Paul

Subject:

Slightly modified language from Foley & Lardner:

An appropriation is created: "From the permanent endowment fund, the amounts determined by the secretary of administration, to be deposited in one or more of the sinking funds of the bond security and redemption fund under s.18.08(1), including escrow accounts that are established under escrow agreements that are authorized by the secretary of administration."

Kreye, Joseph

From:

Ziegler, Paul

Sent:

Wednesday, January 09, 2002 2:46 PM

To:

Kreye, Joseph

Subject:

shared revenue draft 4550/2

Joe -- Please check to see that the language for DOR to make the \$250 million reduction allows reductions to be made to all four shared revenue programs -- shared revenue account, county mandate relief, small municipality shared revenue and expenditure restraint.

While I initially thought the reductions could be confined to the shared revenue account and county mandate relief, further analysis suggests some reductions will be needed in SMSR and ERP as well.

Thank you.



State of Misconsin 2001 - 2002 LEGISLATURE

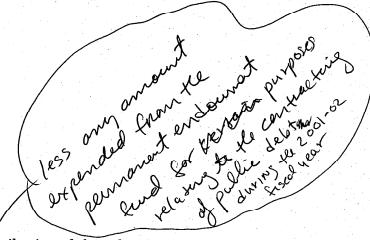
LRB-4550/2 2 JK&RAC7hmb.jf

RMR

DOA:.....Ziegler - Modify the amounts and funding sources for shared revenue in 2002 and 2003

SOOM

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION



AN ACT ...; relating to: the distribution of shared revenue payments in 2002 and

2003. and mokens

Analysis by the Legislative Reference Bureau LOCAL GOVERNMENT

Under current law, payments under the shared revenue program, the public utility distribution program, the county mandate relief program, the expenditure restraint program, and the small municipality shared revenue program are paid from the general fund. These programs are collectively referred to as shared revenue programs. Under this bill, in 2002 and 2003, a portion of the payments under the shared revenue programs will be paid from moneys in the permanent endowment fund, consisting of all the proceeds from the sale of the state's right to receive payments under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998, and all investment earnings on the proceeds. In 2002, the amount from the permanent endowment fund to make payments under the shared revenue programs is \$545,000,000. In 2003, the amount from the permanent endowment fund to make such payments is the amount, as determined by DOA, that is not designated for other purposes.

Under current law, the total amount of the payments that the state will pay to municipalities under the expenditure restraint program is \$57,570,000 in 2002 and \$58,145,700 in 2003 and in each year thereafter. Under the bill, the total amount of

 $\frac{1}{2}$

which consists

Insert) Budyns payments that the state will pay to municipalities under the expenditure restraint program in 2002 and in each year thereafter is \$57,570,000.

Under current law, the total amount of payments that the state will pay to municipalities under the small municipality shared revenue program is \$11,110,000 in 2002 and \$11,221,100 in 2003 and in each year thereafter. Under the bill, the total amount of payments that the state will pay to municipalities under the small municipality shared revenue program in 2002 and in each year thereafter is \$11,110,000.

Under current law, the total amount of shared revenue payments that the state will pay to municipalities is \$769,092,800 in 2002 and \$776,783,700 in 2003 and in each year thereafter. Under the bill, the total amount of shared revenue payments that the state will pay to municipalities in 2003 and in each year thereafter is \$769,092,800.

Under current law, the total amount of shared revenue payments that the state will pay to counties is \$170,671,600 in 2002 and \$172,378,300 in 2003 and in each year thereafter. Under the bill, the total amount of shared revenue payments that the state will pay to counties is \$170,671,600 in 2003 and in each year thereafter.

Under current law, the total amount of county mandate relief payments that the state will pay to counties is \$20,971,400 in 2002 and \$21,181,100 in 2003 and in each year thereafter. Under the bill, the total amount of county mandate relief payments that the state will pay to counties in 2003 and in each year thereafter is \$20,971,400.

The bill further reduces the total amount of payments under the shared revenue programs in 2002 and 2003. Under the bill, in 2002 and 2003, DOR determines the total amount of payments under the shared revenue programs to be paid to each municipality and county in that year. DOR then reduces the total amount of such payments to each municipality or county by subtracting from the payments an amount that is equal to the municipality's or county's population multiplied by an amount that is equal to the amount determined by dividing \$250,000,000 by the aggregate population of the municipalities and counties that will receive such payments in each year.

For further information see the **state** and **local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.855 (4) (rb) of the statutes is created to read:

20.855 (4) (rb) Shared revenue payment. From the permanent endowment

fund, a sum sufficient to make the payments under s. 79.02 (2) (b) and (c) and (3).

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1	Section 2	• 20.855 (4) (rb) of	f the statutes, as c	reated by 2001	Wisconsin Act
2	(this act), is rep	ealed.			

SECTION 3. 20.855 (4) (rh) of the statutes, as created by 2001 Wisconsin Act 16, is amended to read:

20.855 (4) (rh) Annual transfer from permanent endowment fund to general fund. From the permanent endowment fund, to be transferred to the general fund, a sum sufficient equal to the amount that is required to be transferred to the general fund under s. 13.101 (16).

SECTION 4. 25.69 of the statutes, as created by 2001 Wisconsin Act 16, is amended to read:

25.69 Permanent endowment fund. There is established a separate nonlapsible trust fund designated as the permanent endowment fund, consisting of all of the proceeds from the sale of the state's right to receive payments under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998, and all investment earnings on the proceeds. Moneys in the permanent endowment fund shall be used only to make the transfers under s. 20.855 (4) (rc), (rh), (rp), and (rv) and to make the appropriation under s. 20.855 (4) (rb).

SECTION 5. 25.69 of the statutes, as affected by 2001 Wisconsin Acts 16 and (this act), is repealed and recreated to read:

25.69 Permanent endowment fund. There is established a separate nonlapsible trust fund designated as the permanent endowment fund, consisting of all of the proceeds from the sale of the state's right to receive payments under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998, and all investment earnings on the proceeds. Moneys in the permanent endowment fund shall be used only to make the transfers under ss. 13.101 (16) and 20.855 (4) (rh).

and to make the appropriation under 5. 20.855 (4) (TM)

under s. 20.855 (4) (rb).

	2001 – 2002 Legislature – 4 – LRB-4550/2 JK&RAC:hmh:jf
	len a groportionate share of the total JK&RAC:hmh:jf reduction under 5. 79.085
$\int 1$	SECTION 6. 79.01 (1) of the statutes, as affected by 2001 Wisconsin Act 16, is
2	amended to read:
3	79.01 (1) There is established an account in the general fund entitled the
4	"Expenditure Restraint Program Account." There shall be appropriated to that
5	account \$25,000,000 in 1991, in 1992, and in 1993; \$42,000,000 in 1994; \$48,000,000
6	in each year beginning in 1995 and ending in 1999; \$57,000,000 in the year 2000 and
7	in the year 2001; \$57,570,000 in 2002; and \$58,145,700 in 2003 and in each year
(8)	thereafter
9	Section 7. 79.02 (1) of the statutes is amended to read:
10	79.02 (1) The department of administration, upon certification by the
11	department of revenue, shall distribute shared revenue payments to each
12	municipality and county on the 4th Monday in July and the 3rd Monday in
13	November, except that in 2003, shared revenue payments shall be distributed on
14	June 30 and on the 3rd Monday in November.
15	SECTION 8. 79.02 (2) (b) of the statutes is amended to read:
16	79.02 (2) (b) Subject to s. 59.605 (4), payments in July shall equal 15% of the
17	municipality's or county's estimated payments under ss. 79.03, 79.04, 79.058, and
18	79.06 and 100% of the municipality's estimated payments under s. 79.05. Payments
19	in July 2002 shall be made from the appropriation account under s. 20.855 (4) (rb)
20	in an amount not to exceed \$545,000,000/ appropriation account under 5.20.855 SECTION 9. 79.02 (2) (c) of the statutes is created to read: (4) (rm) during the
21	SECTION 9. 79.02 (2) (c) of the statutes is created to read: (4) (rm) during the 2001-02 fiscal weeks
22	79.02 (2) (c) Subject to s. 59.605 (4), the total payments on June 30, 2003, under
23	ss. 79.03, 79.04, 79.05, 79.058, and 79.06 shall equal the moneys available, as
24	determined by the department of administration, from the appropriation account

1	SECTION 10. 79.02 (3) of the statutes is amended to read:
2	79.02 (3) Subject to s. 59.605 (4), payments to each municipality and county in
3	November shall equal that municipality's or county's entitlement to shared revenues
4	under ss. 79.03, 79.04, 79.05, 79.058, and 79.06 for the current year, minus the
5	amount distributed to the municipality or county in July or, for distributions in 2003,
6	on June 30, 2003. In November 2002, payments shall be made from the
7	appropriation account under s. 20.855 (4) (rb) in an amount equal to \$545,000,000
8	minus the amount paid from the appropriation account under s 20.855 (4) (rb) lin
9	July 2002 If moneys in the appropriation account under s. 20.855 (4) (rb) are not
10	sufficient to make the payments in November 2002, the amount of the payments
11	remaining shall be paid from the appropriation account under 20.835 (1) (d).
12	SECTION 11. 79.03 (3c) (f) of the statutes, as affected by 2001 Wisconsin Act 16,
13	is amended to read:
14	79.03 (3c) (f) Distribution amount. If the total amounts calculated under pars.
15	(c) to (e) exceed the total amount to be distributed under this subsection, the amount
16	paid to each eligible municipality shall be paid on a prorated basis. The total amount
17	to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning
18	in 1996 and ending in 1999; \$11,000,000 in the year 2000 and in the year 2001;
19	\$11,110,000 in 2002; and \$11,221,100 in 2003 and in each year thereafter
20	SECTION 12. 79.03 (4) of the statutes, as affected by 2001 Wisconsin Act 16, is
21	amended to read:
22	79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and
23	79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be
24	distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300.

Jess a groportionate share of the total reduction under 5. 79.085

In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s.

20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this
section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to
municipalities and \$168,981,800 to counties. Beginning in 1995 and ending in 2001,
the total amounts to be distributed under ss. 79.03 , 79.04 , and 79.06 from s. 20.835
(1) (d) are \$761,478,000 to municipalities and \$168,981,800 to counties. In 2002, the
total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. ss. 20.835
(1) (d) and 20.855 (4) (rb) are \$769,092,800 to municipalities, less a proportionate
share of the total reduction amount under s. 79.085, and \$170,671,600 to counties.
less a proportionate share of the total reduction amount under s. 79.085. In 2003 and
subsequent years, the total amounts to be distributed under ss. 79.03, 79.04, and
79.06 from s. ss. 20.835 (1) (d) and, for distributions in 2003, 20.855 (4) (rb) are
\$776,783,700 \$769,092,800 to municipalities and \$172,378,300 \$170,671,600 to
counties, less a proportionate share of the total reduction amount under s. 79.085.
SECTION 13. 79.03 (5) (a) of the statutes, as affected by 2001 Wisconsin Act 16,
is amended to read:
79.03 (5) (a) In 2002 and 2003, each municipality shall receive a shared
revenue payment that is equal to the amount of the payment it received in the
previous year, multiplied by 101% and less any reduction calculated under s. 79.085.
SECTION 14. 79.058 (3) (d) of the statutes, as created by 2001 Wisconsin Act 16,
is amended to read:
79.058 (3) (d) In 2002, \$20,971,400, less a proportionate share of the total
reduction amount under s. 79.085.
SECTION 15. 79.058 (3) (e) of the statutes, as created by 2001 Wisconsin Act 16,
is amended to read:

79.058 (3) (e) In 2003 and subsequent years, \$21,181,100 \$20,971,400, less a proportionate share of the total reduction amount under s. 79.085.

SECTION 16. 79.06 (1) (b) of the statutes is amended to read:

79.06 (1) (b) If the payments to any municipality or county under s. 79.03, excluding payments under s. 79.03 (3c), in 1986 or any year thereafter, except 2002, are less than 95% of the combined payments to the municipality or county under this section and s. 79.03, excluding payments under s. 79.03 (3c), for the previous year, the municipality or county has an aids deficiency. The amount of the aids deficiency is the amount by which 95% of the combined payments to the municipality or county under this section and s. 79.03, excluding payments under s. 79.03 (3c), in the previous year exceeds the payments to the municipality or county under s. 79.03, excluding payments under s. 79.03 (3c), in the current year.

Section 17. 79.085 of the statutes is created to read:

79.085 Reductions. (1) Calculation. In 2002 and 2003, the department of revenue shall determine the aggregate amount of the payments from s. 20.835 (1) (b), (c), (d), and (f) to be distributed to municipalities and counties in that year. The department shall then reduce the amount of such payments to be distributed to each municipality and county in that year by subtracting from such payments an amount that is equal to the municipality's or county's population multiplied by an amount that is equal to the amount determined by dividing \$250,000,000 by the aggregate population of the municipalities and counties that shall receive such payments in each year. The department shall use the population estimates from the 2000 federal decennial census to calculate payments under this section. If the amount of payments calculated under this section for any municipality or county is a negative number, the amount of such payments is zero.

	1	(2) PRIORITY. After the department of revenue calculates the aggregate amount
	2	of the payments to a municipality or county under sub. (1), the department shall
	3	reduce the following payments to the municipality or county, consistent with the
p	4	calculation under sub. (1), and in the following order:
o	5	(a) Payments under s. 79.058.
1241	6	(b) Payments under s. 79.03 (2).
2	7	(c) Arry payments from s. 20.835(t)(d), other than payments under s. 18.03 (2).
X	(8)	SECTION 9459. Effective dates; other.
	9	(1) PERMANENT ENDOWMENT FUND MONEYS. The repeal of section 20.855 (4) (rb)
	10	of the statutes and the repeal and recreation of section 25.69 of the statutes takes
	11	effect on July 1, 2003.
	12	(END)
		ss. 79.03 (3c) and 79.05

2001–2002 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

Insert Analysis:

In addition, the bill creates a sum sufficient appropriation from the permanent endowment fund, in an amount determined by DOA, to be used for purposes relating to the contracting of public debt.

Insert 2-1:

SECTION 1. 16.40 (25) of the statutes is created to read:

16.40 (25) Payments from the permanent endowment fund redemption fund under fund into one or more sinking funds of the bond security and redemption fund under s. 18.09 (1) and any escrow accounts established under escrow agreements authorized by the secretary of administration that relate to the contracting of public debt.

Insert 3-8:

SECTION 2. 20.855 (4) (rm) of the statutes is created to read:

20.855 (4) (rm) Payment relating to public debt. From the permanent endowment fund, a sum sufficient equal to the amount determined by the department of administration under s. 16.40 (25), to be paid into one or more sinking funds of the bond security and redemption fund under s. 18.09 (1) and any escrow accounts established under escrow agreements authorized by the secretary of administration that relate to the contracting of public debt.

Insert 8-8:

SECTION 9101. Nonstatutory provisions; administration.

(1) PAYMENTS FROM PERMANENT ENDOWMENT FUND RELATING TO PUBLIC DEBT. When amending the schedule under section 20.004 (2) of the statutes, the department of administration shall insert the amount of \$200,000,000 as the estimated

expenditure amount for the appropriation under section 20.855 (4) (rm) of the statutes, as created by this act, in the 2001–02 fiscal year.

REVISED JANUARY 14, 2002 TO MODIFY TIMING OF PAYMENTS AND SPLIT BY FUND SOURCE BY APPROPRIATION

then completely eliminate the programs (SR, ERP, SMSR, and CMR) beginning in FY05 (CY04 payments). Cut Shared revenue by \$250 million in FY03 (CY02) and FY04 (CY03)

Tobacco securitization dollars will pay for a portion of the CY02 and CY03 payments.

The \$250 million reduction in both CY02 and CY03 will be made as per capita reductions (up to the level needed to reduce payments by \$250 million). All tobacco dollars for SR will be expended in FY03 (through an appropriation from the tobacco securitization permenant endowment fund) The formulas shall be run as under current law, less the FY04 advance commitments -- then the \$250 million reduction shall be made.

				NEW	(1)(f)	(1)(d)	(1)(c)	(1)(b)	20.835		
			total	Shared Revenue - SEG tobacco \$	County mandate relief	Shared Revenue account	Expenditure restraint program	Small municipality shared revenue			
share SR+CMR	share of SR acct	share of total	1,029,415,800		20,971,400	939,764,400	57,570,000	11,110,000	Act 16	CY02 = FY03	
19.9%	18.2%	18.6%	191643000		20,971,400	170,671,600	0	0	counties		current law
80.1%	81.8%	81.4%	837,772,800		0	769,092,800	57,570,000	11,110,000	munis	-	

3 3	1000000 44 10x 0 200
249.000.000	tobacco \$\$ for CY03 SR
45,000,000	Tobacco 35 for CYU2 SR
594,000,000	remainder to be used for SR in FY03
0.000000	less tobacco for INVD debt service
450,000,000	less Act 16 - \$450 to gen fund
1,244,000,000	Fotallexpected from jobacco securitization
	TOBACCO SECURITIZATION

\$250 Million Cut to Shared Revenue and Related Programs

SR by fund source and alpha 250,000,000 ALL FUNDS 779,415,800 YO2 SR 345,000,000 rotal 42,426% set reductions 106,900 4,870,400 314,647,300 396,196,500 710,843,800 TOTAL 250,000,000 345,000,000	(1)(1) -20,771,400 -499,000,000		779,415,800	530,415,800	249,000,000	250,000,000	County mandate rener TOTAL
0,000,000 9,415,800 1,10			710,843,800	483,750,500	227,093,300	228,920,600	Shared Revenue account
10,000,000 9,415,800 1,415,800 4,426% SEG 106,900 1,100 1,100 25,482,300 32,086,600 1,100 25,482,300 396,196,500 710,843,800 1,100 314,647,300 396,196,500 779,415,800 9,415,800 9,415,800 31.95% SEG GPR TOTAL change to GPR current I rectimates for GPR SR (1)(b) (1)(c) (1)(d) (1)(f) (1)(f) After elim advance compreductions 106,900 3,515,200 7,487,900 11,003,100 After elim advance compreductions 106,900 11,003,100 After elim advance compreductions 106,900 11,003,100 (1)(b)			57,568,900	39,177,400	18,391,500	1,100	Expenditure restraint program
10,000,000 9,415,800 1,415,800 44.26% 44.26% SEG GPR TOTAL change to GPR current l (1)(c) 8,920,600 0,971,400 0,971,400 0,000,000 0,415,800 31.95% GPR TOTAL change to GPR current l (1)(f) After elim advance compreductions SEG GPR TOTAL change to GPR current l (1)(f) After elim advance compreductions SEG GPR TOTAL change to GPR current l (1)(f) After elim advance compreductions SEG GPR TOTAL change to GPR current l (1)(f) Note: figures below also the FY03 sum sufficient recestimates for GPR SR TOTAL change to GPR current l (1)(f) (1)(f) (1)	(1)(b) -3,622,100	_	11,003,100	7,487,900	3,515,200	106,900	Small municipality shared revenue
0,000,000 9,415,800 1,415,800 44.26% Rote: figures below also the FY03 sum sufficient reestimates for GPR SR TOTAL change to GPR current 1 106,900 1,100 25,482,300 32,086,600 57,568,900 1,100 25,482,300 396,196,500 710,843,800 (1)(c) 0,971,400 0,971,400 0,971,400 0,971,400 0,971,5800 9,415,800 345,000,000 0,434,415,800 After elim advance comu	to GPR current law	change	TOTAL	GPR	SEG	est reductions	
0,000,000 9,415,800 1,415,800 1,100 1,100 25,482,300 2,971,400 0,071,400 0,000,000 9,415,800 1,100 314,647,300 396,196,500 0,000,000 0,415,800 31.95% Note: figures below also the FY03 sum sufficient reestimates for GPR SR TOTAL change to GPR current I (1)(b) (1)(c) (1)(d) (1)(d) (1)(f) (1)(f)	lim advance commitments	After el					
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0,000,000 9,415,800 4,415,800 4,26% reductions 106,900 1,100 25,482,300 1,100 25,482,300 32,086,600 1,100 25,482,300 396,196,500 710,843,800 0,971,400 - 0,000,000 345,000,000 434,415,800 779,415,800 9,415,800 9,000,000						530,415,800	remaining GPR \$\$ for all SR CY03
0,000,000 9,415,800 4,415,800 4,415,800 44.26% Freductions 106,900 1,100 25,482,300 25,482,300 314,647,300 396,196,500 710,843,800 9,711,400 - 0,000,000 345,000,000 434,415,800 779,415,800 Note: figures below also the FY03 sum sufficient reestimates for GPR SR rectimates for GPR SR change to GPR current l (1)(b) (1)(c) (1)(d) (1)(f) (0,000,000 434,415,800 779,415,800						249,000,000	Tobacco \$\$ for CY03 SR
10,000,000 9,415,800 4,415,800 44,26% Freductions 106,900 1,100 25,482,300 25,482,300 314,647,300 314,647,300 396,196,500 710,843,800 1,000,000 345,000,000 434,415,800 779,415,800 Note: figures below also the FY03 sum sufficient reestimates for GPR SR clarent I (1)(b) (1)(c) (1)(d) (1)(d) (1)(f) (1)(f)				-			(note - advance commitments eliminated)
0,000,000 9,415,800 1,100 1,100 25,482,300 2,948,70,400 1,100 25,482,300 2,000,000 2,971,400 0,071,400 0,000,000 345,000,000 1,000,000 345,000,000 1,000,000						779,415,800	remainder after cut - ALL FUNDS
10,000,000 9,415,800 14,26% SEG GPR TOTAL change to GPR current I 106,900 1,100 25,482,300 1,100 25,482,300 32,086,600 1,000 314,647,300 9,971,400 0,971,400 0,971,400 1,000 345,000,000 1						250,000,000	\$250 million cut
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0,000,000 9,415,800 5,000,000 4,415,800 44.26% reductions SEG GPR TOTAL change to GPR current law 106,900 4,870,400 6,132,700 11,003,100 (1)(b)			57,568,900	32,086,600	25,482,300	1,100	Expenditure restraint program
0,000,000 9,415,800 5,000,000 4,415,800 44.26% reductions SEG GPR TOTAL			11,003,100	6,132,700	4,870,400	106,900	Small municipality shared revenue
0,000,000 9,415,800 5,000,000 4,415,800 44.26%	to GPR current law	Change	TOTA	GPR	SEG	est reductions	
0,000,000 9,415,800 5,000,000 4,415,800 44.26%	nates for GPR SR approps	reestim					
0,000,000 9,415,800 5,000,000 4,415,800	703 sum sufficient	the FY				44.26%	Est. Tobacco share of total
Determination of Proposed CY02 SR by fund source and alpha \$250 million cut 250,000,000 remainder after cut - ALL FUNDS 779,415,800 Est Tobacco \$\$ for CY02 SR 345,000,000	figures below also show	Note: fi				434,415,800	remaining GPR \$\$ for all SR CY02
Determination of Proposed CY02 SR by fund source and alpha \$250 million cut 250,000,000 remainder after cut - ALL FUNDS 779,415,800						345,000,000	Est Tobacco \$\$ for CY02 SR
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Determination of Proposed CY02 SR by fund source and alpha \$250 million cut \$250,000,000						779,415,800	remainder after cut - ALL FUNDS
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						d alpha	Determination of Proposed CY02 SR by fund source and

01/14/2002 1:22 PM

\$250 Million Cut to Shared Revenue and Related Programs

CALENDAR YEAR TOTALS UNDER PROPOSAL

CY02 Cy02 CY03 CY03 with \$250m cut alloc \$250 cut with \$250 cut alloc \$250 cut 6,132,700 4,977,300 7,487,900 39,177,400 32,086,600 25,483,400 39,177,400 39,177,400 396,196,500 543,567,900 483,750,500 - 345,000,000 (345,000,000) 249,000,000 (345,000,000) 779,415,800 250,000,000 779,415,800 30,415,800 345,000,000 (345,000,000) 530,415,800 345,000,000 345,000,000 (345,000,000) 249,000,000 379,415,800			NEW	(1)(f)	(1)(d)	(1)(c)	(1)(b)	<u>20.835</u>	
Cy02 CY03 CY02 alloc \$250 cut with \$250 cut alloc 4,977,300 7,487,900 alloc 25,483,400 39,177,400 39,177,400 543,567,900 483,750,500 483,750,500 20,971,400 - - (345,000,000) 249,000,000 (3250,000,000 595,000,000 530,415,800 (345,000,000) 250,000,000 779,415,800 (3250,000,000)	GPR total SEG total all funds	total	Shared Revenue - SEG tobacco \$	County mandate relief	Shared Revenue account	Expenditure restraint program	Small municipality shared revenue		A STATE OF THE STA
2 CY03 2 CY03 3 (CY0) 4 with \$250 cut 7,487,900 39,177,400 483,750,500 249,000,000 779,415,800 530,415,800 779,415,800 779,415,800 779,415,800	434,415,800 345,000,000 779,415,800	779,415,800	345,000,000	1	396,196,500	32,086,600	6,132,700	with \$250m cut	CY02
00 00 00 allow	595,000,000 (345,000,000) 250,000,000	250,000,000	(345,000,000)	20,971,400	543,567,900	25,483,400	4,977,300	alloc \$250 cut	, Cy02
CYC	530,415,800 249,000,000 779,415,800	779,415,800	249,000,000		483,750,500	39,177,400	7,487,900		CY03
500 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	499,000,000 (249,000,000) 250,000,000	250,000,000	(249,000,000)	20,971,400	456,013,900	18,392,600	3,622,100	alloc \$250 cut	CY03

FISCAL YEAR TOTALS UNDER PROPOSAL

499,000,000	530,415,800	1,000,000	1,028,415,800	all funds	
	•	(594,000,000)	594 000 000	CEC total	
499,000,000	530,415,800	595,000,000	434,415,800	GPR total	
499,000,000	530,415,800	1,000,000	1,028,415,800	total	
1	•	(594,000,000)	594,000,000	NEW Shared Revenue - SEG tobacco \$	NEW
20,971,400		20,971,400	•	County mandate relief	
456,013,900	483,750,500	543,567,900	396,196,500	Shared Revenue account	(b)(1)
18,392,600	39,177,400	25,483,400	32,086,600	Expenditure restraint program	(1)(c)
3,622,100	7,487,900	4,977,300	6,132,700	Small municipality shared revenue	(1)(b)
alloc \$250 cut	with \$250 cut	alloc \$250 cut	with \$250m cut		20.835
FY04	FY04	FY03	FY03		
munerus remov	after advance communicitis removed				

\$250 Million Cut to Shared Revenue and Related Programs

Payments by Date

			0	CY02 payment dates	
			July	November	total
(1)(b)	Small municipality shared rev	GPR	0	6,132,700	6,132,700
(1)(c)	Expenditure restraint program	GPR	0	32,086,600	32,086,600
(1)(d)	Shared Revenue GPR	GPR	0	396,196,500	396,196,500
(1)(f)	County mandate relief	GPR	0	1	ı
NEW	Shared Revenue - SEG tobacco \$	SEG	345,000,000	-	345,000,000
			345,000,000	434,415,800	779,415,800

779,415,800	530,415,800	249,000,000			
249,000,000	0	249,000,000	SEG	Shared Revenue - SEG tobacco \$	NEW
0	•	. 0	GPR	County mandate relief	(1)(f)
483,750,500	483,750,500	0	GPR	Shared Revenue GPR	(1)(d)
39,177,400	39,177,400	0	GPR	Expenditure restraint program	(1)(c)
7,487,900	7,487,900	0	GPR	Small municipality shared rev	(1)(b)
total	November	June 30th			

Kreye, Joseph

Ziegler, Paul Monday, January 14, 2002 12:22 PM Kreye, Joseph Changes to draft 4550/3 From: Sent: To: Subject:

Joe --- please make the attached changes to 4550/3 re: amounts and funding of shared revenue in 2002 and 2003.

The first file describes the changes. The second lays out the numbers (please refer only to the first tab).



250m cut detail Jan 7 01.xls revisions 1-13-02.doc

The first group of changes are necessary to allow the per capita reduction to float to remove exactly \$250 million. The second group of changes is intended to simplify the payments and get more money out the door more quickly. Please call with any questions.

Thank you.

Paul

Revised \$250 million reduction and tobacco share

January 14, 2002

Intent:

- Specify methodology for \$250 million reduction.
- Freeze the 2003 payments at the 2002 amounts (reflecting the \$250m reduction)
- Eliminate advance commitments for 2003
- Eliminate 15/85% split in payments
- Float percents according to GPR/SEG
- Make first payment all SEG (July 02, June 03)
- Make second payment all GPR (Nov 02 and Nov 03)

\$250 million reduction

Initial payment =

For muni – payments under SR, ERP, SMSR for 2002 as under current law.

For county – payments under SR and CMR for 2002 as under current law.

- Population = 2003 pop estimate for each muni and county that reflects the 2000 census
- Reduction = Standard per capita deduction times population except that the reduction cannot exceed the initial payment.
- Net payment = initial payment minus reduction.
- Standard per capita reduction = an amount that shall be determined by DOR such that the statewide total of all reductions shall be \$250 million.
- Net payment for 2003 shall equal the net payment for 2002.
- Prioritization. The reduction shall be applied in the following order:

For Counties

- 1. County mandate relief
- 2. Shared revenue account

For Municipalities

- 1. Shared revenue account
- 2. SMSR
- 3. ERP

Distribution

July 2002

- July 2002 payment factor = (\$545,000,000 less the amount of tobacco dollars used for debt service) divided by \$779,415,800.
- On 4th Monday in July 2002, each muni and county shall receive an amount equal to its net payment times the July 2002 payment factor.
- All July 2002 payments shall be made from the SEG tobacco appropriation for SR.
- DOR shall apply the July 2002 payment factor to SR, CMR, ERP and SMSR.

Nov 2002

- All remaining net payments shall be paid out of GPR.
- The total of the July 2002 and November 2002 net payments shall be \$779,415,800.

June 30th, 2003

- June 30th payment factor = (Amount determined to be available from SEG tobacco for SR) divided by \$779,415,800.
- On June 30th, 2003, each muni and county shall receive an amount equal to its net payment times the June 30th payment factor.
- All June 30th, 2003 payments shall be made from the SEG tobacco appropriation for SR.
- DOR shall apply the June 30th, 2003 payment factor to SR, CMR, ERP and SMSR.

Nov 2003

- All remaining net payments shall be paid out of GPR.
- The total of the June 30th, 2003 and November 2003 net payments shall be \$779,415,800.



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State of Misconsin 2001 - 2002 LEGISLATURE

LRB-4550/3 JK&RAC:hmh;pg

DOA:.....Ziegler - Modify the amounts and funding sources for shared revenue in 2002 and 2003

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

m 1-14-02

(500N)

Do DOT Ger

AN ACT to repeal 20.855 (4) (rb); to amend 20.855 (4) (rh), 25.69, 79.01 (1), 79.02

(1), 79.02 (2) (b), 79.02 (3), 79.03 (3c) (f), 79.03 (4), 79.03 (5) (a), 79.058 (3) (d),

79.058 (3) (e) and 79.06 (1) (b); to repeal and recreate 25.69; and to create

16.40 (25), 20.855 (4) (rb), 20.855 (4) (rm), 79.02 (2) (c) and 79.085 of the

statutes relating to: the distribution of shared revenue payments in 2002 and

2003 and making an appropriation.

Analysis by the Legislative Reference Bureau LOCAL GOVERNMENT

Under current law, payments under the shared revenue program, the public utility distribution program, the county mandate relief program, the expenditure restraint program, and the small municipality shared revenue program are paid from the general fund. These programs are collectively referred to as shared revenue programs. Under this bill, in 2002 and 2003, a portion of the payments under the shared revenue programs will be paid from moneys in the permanent endowment fund, which consists of all the proceeds from the sale of the state's right to receive payments under the Attorneys General Master Tobacco Settlement Agreement of

November 23, 1998, and all investment earnings on the proceeds. In 2002, the amount from the permanent endowment fund to make payments under the shared revenue programs is \$545,000,000 less any amount expended from the permanent endowment fund for purposes relating to the contracting of public debt during the 2001–02 fiscal year. In 2003, the amount from the permanent endowment fund to make such payments is the amount, as determined by DOA, that is not designated for other purposes. In addition, the bill creates a sum sufficient appropriation from the permanent endowment fund, in an amount determined by DOA, to be used for purposes relating to the contracting of public debt.

Under current law, the total amount of the payments that the state will pay to municipalities under the expenditure restraint program is \$57,570,000 in 2002 and \$58,145,700 in 2003 and in each year thereafter. Under the bill, the total amount of payments that the state will pay to municipalities under the expenditure restraint program in 2002 and in each year thereafter is \$57,570,000.

Under current law, the total amount of payments that the state will pay to municipalities under the small municipality shared revenue program is \$11,110,000 in 2002 and \$11,221,100 in 2003 and in each year thereafter. Under the bill, the total amount of payments that the state will pay to municipalities under the small municipality shared revenue program in 2002 and in each year thereafter is \$11,110,000.

Under current law, the total amount of shared revenue payments that the state will pay to municipalities is \$769,092,800 in 2002 and \$776,783,700 in 2003 and in each year thereafter. Under the bill, the total amount of shared revenue payments that the state will pay to municipalities in 2003 and in each year thereafter is \$769,092,800.

Under current law, the total amount of shared revenue payments that the state will pay to counties is \$170,671,600 in 2002 and \$172,378,300 in 2003 and in each year thereafter. Under the bill, the total amount of shared revenue payments that the state will pay to counties is \$170,671,600 in 2003 and in each year thereafter.

Under current law, the total amount of county mandate relief payments that the state will pay to counties is \$20,971,400 in 2002 and \$21,181,100 in 2003 and in each year thereafter. Under the bill, the total amount of county mandate relief payments that the state will pay to counties in 2003 and in each year thereafter is \$20,971,400.

The bill further reduces the total amount of payments under the shared revenue programs in 2002 and 2003. Under the bill, in 2002 and 2003, DOR determines the total amount of payments under the shared revenue programs to be paid to each municipality and county in that year. DOR then reduces the total amount of such payments to each municipality or county by subtracting from the payments an amount that is equal to the amount determined by dividing \$250,000,000 by the aggregate population of the municipalities and counties that will receive such payments in each year.

(so that the total amount of the reduction to all such gayments in each year in \$250,000,000 p

based on

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1	Section 1. 16.40 (25) of the statutes is created to read:
2	16.40 (25) Payments from the permanent endowment fund relating to public
3	DEBT. Annually, determine the amount to be paid from the permanent endowment
4	fund into one or more sinking funds of the bond security and redemption fund under
5	s. 18.09 (1) and any escrow accounts established under escrow agreements
6	authorized by the secretary of administration that relate to the contracting of public
7	debt.
8	Section 2. 20.855 (4) (rb) of the statutes is created to read:
9	20.855 (4) (rb) Shared revenue payment. From the permanent endowment
10	fund, a sum sufficient to make the payments under s. 79.02 (2) (b) and (c) and (3).
11	SECTION 3. 20.855 (4) (rb) of the statutes, as created by 2001 Wisconsin Act
12	(this act), is repealed.
13	SECTION 4. 20.855 (4) (rh) of the statutes, as created by 2001 Wisconsin Act 16,
14	is amended to read:
15	20.855 (4) (rh) Annual transfer from permanent endowment fund to general
16	fund. From the permanent endowment fund, to be transferred to the general fund,
17	a sum sufficient equal to the amount that is required to be transferred to the general
18	fund <u>under s. 13.101 (16)</u> .
19	SECTION 5. 20.855 (4) (rm) of the statutes is created to read:
20	20.855 (4) (rm) Payment relating to public debt. From the permanent
21	endowment fund a sum sufficient equal to the amount determined by the

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amended to read:

1	department of administration under s. 16.40 (25), to be paid into one or more sinking
2	funds of the bond security and redemption fund under s. 18.09 (1) and any escrow
3	accounts established under escrow agreements authorized by the secretary or
4	administration that relate to the contracting of public debt.
5	SECTION 6. 25.69 of the statutes, as created by 2001 Wisconsin Act 16, is
6	amended to read:
7	25.69 Permanent endowment fund. There is established a separate
8	nonlapsible trust fund designated as the permanent endowment fund, consisting or
9	all of the proceeds from the sale of the state's right to receive payments under the
10	Attorneys General Master Tobacco Settlement Agreement of November 23, 1998
11	and all investment carnings on the proceeds. Moneys in the permanent endowment
12	fund shall be used only to make the transfers under s. 20.855 (4) (rc), (rh), (rp), and
13)	(rv) and to make the appropriation under s. 20.855 (4) (rb) and (rm).
14	SECTION 7. 25.69 of the statutes, as affected by 2001 Wisconsin Acts 16 and
15	(this act), is repealed and recreated to read:
16	25.69 Permanent endowment fund. There is established a separate
17	nonlapsible trust fund designated as the permanent endowment fund, consisting or
18	all of the proceeds from the sale of the state's right to receive payments under the
19	Attorneys General Master Tobacco Settlement Agreement of November 23, 1998
20	and all investment earnings on the proceeds. Moneys in the permanent endowment
21	fund shall be used only to make the transfers under ss. 13.101 (16) and 20.855 (4) (rh
22	and to make the appropriation under s. 20.855 (4) (rm).

Section 8. 79.01 (1) of the statutes, as affected by 2001 Wisconsin Act 16, is



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79.01 (1) There is established an account in the general fund entitled the "Expenditure Restraint Program Account." There shall be appropriated to that account \$25,000,000 in 1991, in 1992, and in 1993; \$42,000,000 in 1994; \$48,000,000 in each year beginning in 1995 and ending in 1999; \$57,000,000 in the year 2000 and in the year 2001; \$57,570,000 in 2002; and \$58,145,700 in 2003 and in each year thereafter, less a proportionate share of the total reduction under s. 79.085.

SECTION 9. 79.02 (1) of the statutes is amended to read:

79.02 (1) The department of administration, upon certification by the department of revenue, shall distribute shared revenue payments to each municipality and county on the 4th Monday in July and the 3rd Monday in November, except that in 2003, shared revenue payments shall be distributed on June 30 and on the 3rd Monday in November.

SECTION 10. 79.02 (2) (b) of the statutes is amended to read:

79.02 (2) (b) Subject to s. 59.605 (4), payments in July shall equal 15% of the municipality's or county's estimated payments under ss. 79.03, 79.04, 79.058, and 79.06 and 100% of the municipality's estimated payments under s. 79.05. Payments in July 2002 shall be made from the appropriation account under s. 20.855 (4) (rb). in an amount not to exceed \$545,000,000 less any amount expended from the appropriation account under s. 20.855 (4) (rm) during the 2001–02 fiscal year.

SECTION 11. 79.02 (2) (c) of the statutes is created to read:

79.02 (2) (c) Subject to s. 59.605 (4), the total payments on June 30, 2003, under ss. 79.03, 79.04, 79.05, 79.058, and 79.06 shall equal the moneys available, as determined by the department of administration, from the appropriation account under s. 20.855 (4) (rb).

SECTION 12. 79.02 (3) of the statutes is amended to read:

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79.02 (3) Subject to s. 59.605 (4), payments to each municipality and county in November shall equal that municipality's or county's entitlement to shared revenues under ss. 79.03, 79.04, 79.05, 79.058, and 79.06 for the current year, minus the amount distributed to the municipality or county in July or, for distributions in 2003, on June 30, 2003. In November 2002, payments shall be made from the appropriation account under s. 20.855 (4) (rb). If moneys in the appropriation account under s. 20.855 (4) (rb) are not sufficient to make the payments in November 2002, the amount of the payments remaining shall be paid from the appropriation account under 20.835 (1) (d).

Section 13. 79.03 (3c) (f) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

79.03 (3c) (f) Distribution amount. If the total amounts calculated under pars.

(c) to (e) exceed the total amount to be distributed under this subsection, the amount paid to each eligible municipality shall be paid on a prorated basis. The total amount to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning in 1996 and ending in 1999; \$11,000,000 in the year 2000 and in the year 2001; \$11,110,000 in 2002; and \$11,221,100 in 2003 and in each year thereafter, less proportionate share of the total reduction under s. 79.085.

SECTION 14. 79.03 (4) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300. In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this

1	section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to
2	municipalities and \$168,981,800 to counties. Beginning in 1995 and ending in 2001,
3	the total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835
4	(1) (d) are \$761,478,000 to municipalities and \$168,981,800 to counties. In 2002, the
5	total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. ss. 20.835
6	(1) (d) and 20.855 (4) (rb) are \$769,092,800 to municipalities, less that operation are
7	share of the testal reduction amount under s. 79.085, and \$170,671,600 to counties,
8	less a droportionate share of the total reduction appoint under s. 79.085. In 2003 and
9	subsequent years, the total amounts to be distributed under ss. 79.03, 79.04, and
10	79.06 from s. ss. 20.835 (1) (d) and, for distributions in 2003, 20.855 (4) (rb) are
11	\$776,783,700 \$769,092,800 to municipalities and \$172,378,300 \$170,671,600 to
12	counties, less a proportionate share of the total reduction appoint under s. 79.085.
13	SECTION 15. 79.03 (5) (a) of the statutes, as affected by 2001 Wisconsin Act 16,
14	is amended to read:
15	79.03 (5) (a) In 2002 and 2003, each municipality shall receive a shared
16	revenue payment that is equal to the amount of the payment it received in the
(17)	previous year, multiplied by 101% and less appy reduction calculated under s. 79.085.
18	SECTION 16. 79.058 (3) (d) of the statutes, as created by 2001 Wisconsin Act 16,
19	is amended to read:
20	79.058 (3) (d) In 2002, \$20,971,400, less by proportionate share of the total
21)	reduction my under s. 79.085.
22	SECTION 17. 79.058 (3) (e) of the statutes, as created by 2001 Wisconsin Act 16,
23	is amended to read:
24	79.058 (3) (e) In 2003 and subsequent years, \$21,181,100 \$20,971,400, less @
(25)	proportionate share of the total reduction appoints under s. 79.085.

INSERT 8-11)

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SECTION 18. 79.06 (1) (b) of the statutes is amended to read:

79.06 (1) (b) If the payments to any municipality or county under s. 79.03, excluding payments under s. 79.03 (3c), in 1986 or any year thereafter, except 2002, are less than 95% of the combined payments to the municipality or county under this section and s. 79.03, excluding payments under s. 79.03 (3c), for the previous year, the municipality or county has an aids deficiency. The amount of the aids deficiency is the amount by which 95% of the combined payments to the municipality or county under this section and s. 79.03, excluding payments under s. 79.03 (3c), in the previous year exceeds the payments to the municipality or county under s. 79.03, excluding payments under s. 79.03 (3c), in the current year.

SECTION 19. 79.085 of the statutes is created to read:

79.085 Reductions. (1) CALCULATION In 2002 Med 2008, the department of revenue shall determine the aggregate amount of the payments from \$ 20.835 (12.6b). And to be distributed to municipalities and counties in that year. The department shall then reduce the amount of such payments to be distributed to each municipality and county in that year by subtracting from such payments an amount that is equal to the municipality s or county's population multiplied by an amount that is equal to the amount determined by dividing \$250,000,000 by the aggregate population of the municipalities and counties that shall receive such payments in each year. The department shall use the population estimates from the 2000 federal decennial census to calculate payments under this section. If the amount of payments calculated under this section for any municipality or county is a negative number, the amount of such payments is zero.

(2) Priority. After the department of revenue calculates the aggregate amounts of the payments to a municipality or county under sub. (1), the department shall

1	under sub. (1) (b), the department shall reduce the following payments, consistent
2	with the calculation under par. (b), in the following order:
3	1. Payments from the appropriation account under s. 20.835 (1) (f).
4	2. Payments from the appropriation account under s. 20.835 (1) (d).
5	(b) For payments to municipalities in 2002 and 2003, after the department of
6	revenue calculates the total reduction of payments to municipalities under sub. (1)
7	(b), the department shall reduce the following payments, consistent with the
8	calculation under par. (b), in the following order:
9	1. Payments from the appropriation account under s. 20.835 (1) (d).
10	2. Payments from the appropriation account under s. 20.835 (1) (b).
11	3. Payments from the appropriation account under s. 20.835 (1) (c).
	Insert 9 – 11
12	Section 9244. Appropriation changes; revenue.
13	(1) GENERAL PROGRAM OPERATIONS; SMALL MUNICIPALITIES SHARED REVENUE. In the
14	schedule under section 20.005 (3) of the statutes for the appropriation to the
15	department of revenue under section 20.835 (1) (b) of the statutes, as affected by the
16	acts of 2001, the dollar amount is decreased by \$4,977,300 for fiscal year 2002–03 to
17	decrease funding for the purpose for which the appropriation is made.
18	(2) GENERAL PROGRAM OPERATIONS; EXPENDITURE RESTRAINT PROGRAM. In the
19	schedule under section 20.005 (3) of the statutes for the appropriation to the
20	department of revenue under section 20.835 (1) (c) of the statutes, as affected by the
21	acts of 2001, the dollar amount is decreased by \$25,483,400 for fiscal year $2002-03$
22	to decrease funding for the purpose for which the appropriation is made.

- (3) General program operations; shared revenue. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.835 (1) (d) of the statutes, as affected by the acts of 2001, the dollar amount is decreased by \$543,567,900 for fiscal year 2002–03 to decrease funding for the purpose for which the appropriation is made.
- (4) GENERAL PROGRAM OPERATIONS; COUNTY MANDATE RELIEF. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.835 (1) (f) of the statutes, as affected by the acts of 2001, the dollar amount is decreased by \$20,971,400 for fiscal year 2002–03 to decrease funding for the purpose for which the appropriation is made.

-INSERT 9-11

1	reduce the following payments to the municipality or county, consistent with the
2	calculation under sub. (1), and in the following order:
3	(a) Payments under s. 79.058.
4	(b) Payments under s. 79.03 (2).
5	(c) Payments under ss. 79.03 (3c) and 79.05.
6	Section 9101. Nonstatutory provisions; administration.
7	(1) PAYMENTS FROM PERMANENT ENDOWMENT FUND RELATING TO PUBLIC DEBT. When
8	amending the schedule under section 20.004 (2) of the statutes, the department of
9	administration shall insert the amount of \$200,000,000 as the estimated
LO	expenditure amount for the appropriation under section 20.855 (4) (rm) of the
11	statutes, as created by this act, in the 2001-02 fiscal year.
12	Section 9459. Effective dates; other.
13	(1) PERMANENT ENDOWMENT FUND MONEYS. The repeal of section 20.855 (4) (rb)
L 4	of the statutes and the repeal and recreation of section 25.69 of the statutes takes
15	effect on July 1, 2003.
16	(END)

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File With Statute $20.005~(3)_{ m Schedule}$	RB <u>USS</u> JTK.h	
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SECTION #. 20.005 (3) (schedule) of the statutes:	at the appro	priate place,
insert the following amounts for the purposes indicated:	2021	
20.855. Miscellaneon appropriations	2001–02	2002–03
(4) Tax, assistance and transfer pa	yments	
(rb) - Shared revenue		
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20.		

2001–2002 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

Insert 5 – 13

1	79.02 (2) (b) Subject to s. 59.605 (4), payments in July shall equal 15% of the
2	municipality's or county's estimated payments under ss. 79.03, 79.04, 79.058, and
3	79.06 and 100% of the municipality's estimated payments under s. 79.05, except that
4	in July 2002, each county and municipality shall receive payments equal to the
5	amount determined under s. 79.085 (1) (b) and (2), multiplied by the July 2002
6	payment factor. In this paragraph, "July 2002 payment factor" means the amount
7	that is equal to \$545,000,000, less any amount expended from the appropriation
8	account under s. 20.855 (4) (rm) during the 2001-02 fiscal year, divided by
9	\$779,415,800. Payments in July 2002 shall be made from the appropriation account
10	under s. 20.855 (4) (rb).
11	SECTION 1. 79.02 (2) (c) of the statutes is created to read:
12	79.02 (2) (c) Subject to s. 59.605 (4), on June 30, 2003, each county and
13	municipality shall receive payments equal to the amount determined under s. 79.085
14	(1) (b) and (2), multiplied by the June 2003 payment factor. In this paragraph, "June
15	2003 payment factor" means the amount that is equal to the moneys available, as
16	determined by the department of administration, from the appropriation account
17	under s. 20.855 (4) (rb), divided by \$779,415,800. Payments in 361,2002/shall be
18	made from the appropriation account under s. 20.855 (4) (rb).
19	SECTION 2. 79.02 (3) of the statutes is amended to read:
20	79.02 (3) Subject to s. 59.605 (4), payments to each municipality and county in
21	November shall equal that municipality's or county's entitlement to shared revenues
22	under ss. 79.03, 79.04, 79.05, 79.058, and 79.06 for the current year, minus the
23	amount distributed to the municipality or county in July or, for distributions in 2003,

 $\begin{array}{c}
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on June 30, 2003. The total amount of the payments in July and November 2002 shall be \$779,415,800. The total amount of the payment in June and November 2003 shall be \$779,415,800.

Insert 8 - 11

79.085 Reductions. (1) CALCULATION. (a) The department of revenue shall determine the amount of the payments under ss. 79.03 (2), (3), and (3c) and 79.05 to be distributed to each municipality in 2002 and the amount of the payments under ss. 79.03 (2) and (3) and 79.058 to be distributed to each county in 2002.

- (b) The department of revenue shall reduce the amount the payments to be distributed to each municipality and county, as determined under par. (a), by subtracting from such payments an amount based on population, as determined by the department, so that the total amount of the reduction to all such payments in 2002 is \$250,000,000, except that the reduction applied to any county's or municipality's payment shall not exceed the amount determined under par. (a) to be distributed to the municipality or county in 2002. Notwithstanding s. 79.005 (2), to calculate reductions under this paragraph, the department shall estimate population by using the 2000 federal decennial census.
- (c) The amount of the payments under ss. 79.03 (2), (3), and (3c) and 79.05 to be distributed to each municipality in 2003 and the amount of the payments under ss. 79.03 (2) and (3) and 79.058 to be distributed to each county in 2003 shall be equal to the amount of such payments distributed to the municipality or county in 2002.
- (2) REDUCTION PRIORITY. (a) For payments to counties in 2002 and 2003, after the department of revenue calculates the total reduction of payments to counties



I)–NICL State of Misconsin 2001 - 2002 LEGISLATURE

JK&RAC:hmh:rs

RMR

DOA:.....Ziegler - Modify the amounts and funding sources for shared revenue in 2002 and 2003

Tida

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the distribution of shared revenue payments in 2002 and

2003 and making an appropriation.

Analysis by the Legislative Reference Bureau LOCAL GOVERNMENT

Under current law, payments under the shared revenue program, the public utility distribution program, the county mandate relief program, the expenditure restraint program, and the small municipality shared revenue program are paid from the general fund. These programs are collectively referred to as shared revenue programs. Under this bill, in 2002 and 2003, a portion of the payments under the shared revenue programs will be paid from moneys in the permanent endowment fund, which consists of all the proceeds from the sale of the state's right to receive payments under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998, and all investment earnings on the proceeds. In 2002, the amount from the permanent endowment fund to make payments under the shared revenue programs is \$545,000,000 less any amount expended from the permanent endowment fund for purposes relating to the contracting of public debt during the 2001-02 fiscal year. In 2003, the amount from the permanent endowment fund to make such payments is the amount, as determined by DOA, that is not designated for other purposes. In addition, the bill creates a sum sufficient appropriation from the permanent endowment fund, in an amount determined by DOA, to be used for purposes relating to the contracting of public debt.

Under current law, the total amount of the payments that the state will pay to municipalities under the expenditure restraint program is \$57,570,000 in 2002 and \$58,145,700 in 2003 and in each year thereafter. Under the bill, the total amount of payments that the state will pay to municipalities under the expenditure restraint program in 2002 and in each year thereafter is \$57,570,000.

Under current law, the total amount of payments that the state will pay to municipalities under the small municipality shared revenue program is \$11,110,000 in 2002 and \$11,221,100 in 2003 and in each year thereafter. Under the bill, the total amount of payments that the state will pay to municipalities under the small municipality shared revenue program in 2002 and in each year thereafter is \$11,110,000.

Under current law, the total amount of shared revenue payments that the state will pay to municipalities is \$769,092,800 in 2002 and \$776,783,700 in 2003 and in each year thereafter. Under the bill, the total amount of shared revenue payments that the state will pay to municipalities in 2003 and in each year thereafter is \$769,092,800.

Under current law, the total amount of shared revenue payments that the state will pay to counties is \$170,671,600 in 2002 and \$172,378,300 in 2003 and in each year thereafter. Under the bill, the total amount of shared revenue payments that the state will pay to counties is \$170,671,600 in 2003 and in each year thereafter.

Under current law, the total amount of county mandate relief payments that the state will pay to counties is \$20,971,400 in 2002 and \$21,181,100 in 2003 and in each year thereafter. Under the bill, the total amount of county mandate relief payments that the state will pay to counties in 2003 and in each year thereafter is \$20,971,400.

The bill further reduces the total amount of payments under the shared revenue programs in 2002 and 2003. Under the bill, in 2002 and 2003, DOR determines the total amount of payments under the shared revenue programs to be paid to each municipality and county in that year. DOR then reduces the total amount of such payments to each municipality or county by subtracting from the payments an amount based on the municipality's or county's population, so that the total amount of the reduction to all such payments in each year is \$250,000,000.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Section 1. 16.40 (25) of the statutes is created to read:

1

- 2 16.40 (25) Payments from the permanent endowment fund relating to public
- 3 DEBT. Annually, determine the amount to be paid from the permanent endowment
- 4 fund into one or more sinking funds of the bond security and redemption fund under

1	s. 18.09 (1) and any escrow accounts established under escrow agreements		
2	authorized by the secretary of administration that relate to the contracting of public		
3	debt.		
4	SECTION 2. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert		
5	the following amounts for the purposes indicated:		
6	2001-02 2002-03		
7	20.855 Miscellaneous appropriations		
8	(4) Tax, assistance and transper payments		
9	(rb) Shared revenue -0 -0-		
10	(rm) Payment relating to public debt -0-		
11	SECTION 3. 20.855 (4) (rb) of the statutes is created to read:		
12	20.855 (4) (rb) Shared revenue payment. From the permanent endowment		
13	fund, a sum sufficient to make the payments under s. 79.02 (2) (b) and (c) and (3).		
14	SECTION 4. 20.855 (4) (rb) of the statutes, as created by 2001 Wisconsin Act		
15	(this act), is repealed.		
16	SECTION 5. 20.855 (4) (rh) of the statutes, as created by 2001 Wisconsin Act 16,		
17	is amended to read:		
18	20.855 (4) (rh) Annual transfer from permanent endowment fund to general		
19	fund. From the permanent endowment fund, to be transferred to the general fund,		
20	a sum sufficient equal to the amount that is required to be transferred to the general		
21	fund <u>under s. 13.101 (16)</u> .		
22	Section 6. 20.855 (4) (rm) of the statutes is created to read:		
23	20.855 (4) (rm) Payment relating to public debt. From the permanent		
24	endowment fund, a sum sufficient equal to the amount determined by the		

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department of administration under s. 16.40 (25), to be paid into one or more sinking
funds of the bond security and redemption fund under s. 18.09 (1) and any escrow
accounts established under escrow agreements authorized by the secretary of
administration that relate to the contracting of public debt.
SECTION 7. 25.69 of the statutes, as created by 2001 Wisconsin Act 16, is
amended to read:
25.69 Permanent endowment fund. There is established a separate
nonlapsible trust fund designated as the permanent endowment fund, consisting of
all of the proceeds from the sale of the state's right to receive payments under the
Attorneys General Master Tobacco Settlement Agreement of November 23, 1998,
and all investment earnings on the proceeds. Moneys in the permanent endowment
fund shall be used only to make the transfers under s. 20.855 (4) (rc), (rh), (rp), and
(rv) and to make the appropriations under s. 20.855 (4) (rb) and (rm).
SECTION 8. 25.69 of the statutes, as affected by 2001 Wisconsin Acts 16 and
(this act), is repealed and recreated to read:
25.69 Permanent endowment fund. There is established a separate
nonlapsible trust fund designated as the permanent endowment fund, consisting of
all of the proceeds from the sale of the state's right to receive payments under the
Attorneys General Master Tobacco Settlement Agreement of November 23, 1998,
and all investment earnings on the proceeds. Moneys in the permanent endowment
fund shall be used only to make the transfers under ss. 13.101 (16) and 20.855 (4) (rh)
and to make the appropriation under s. 20.855 (4) (rm).
SECTION 9. 79.01 (1) of the statutes, as affected by 2001 Wisconsin Act 16, is
amended to read:

7.

79.01 (1) There is established an account in the general fund entitled the "Expenditure Restraint Program Account." There shall be appropriated to that account \$25,000,000 in 1991, in 1992, and in 1993; \$42,000,000 in 1994; \$48,000,000 in each year beginning in 1995 and ending in 1999; \$57,000,000 in the year 2000 and in the year 2001; \$57,570,000 in 2002; and \$58,145,700 in 2003 and in each year thereafter, less reductions under s. 79.085.

Section 10. 79.02 (1) of the statutes is amended to read:

79.02 (1) The department of administration, upon certification by the department of revenue, shall distribute shared revenue payments to each municipality and county on the 4th Monday in July and the 3rd Monday in November, except that in 2003, shared revenue payments shall be distributed on June 30 and on the 3rd Monday in November.

SECTION 11. 79.02 (2) (b) of the statutes is amended to read:

79.02 (2) (b) Subject to s. 59.605 (4), payments in July shall equal 15% of the municipality's or county's estimated payments under ss. 79.03, 79.04, 79.058, and 79.06 and 100% of the municipality's estimated payments under s. 79.05, except that in July 2002, each county and municipality shall receive payments equal to the amount determined under s. 79.085 (1) (b) and (2), multiplied by the July 2002 payment factor. In this paragraph, "July 2002 payment factor" means the amount that is equal to \$545,000,000, less any amount expended from the appropriation account under s. 20.855 (4) (rm) during the 2001–02 fiscal year, divided by \$779,415,800. Payments in July 2002 shall be made from the appropriation account under s. 20.855 (4) (rb).

Section 12. 79.02 (2) (c) of the statutes is created to read:

79.02 (2) (c) Subject to s. 59.605 (4), on June 30, 2003, each county and
municipality shall receive payments equal to the amount determined under s. 79.085
(1) (b) and (2), multiplied by the June 2003 payment factor. In this paragraph, "June
2003 payment factor" means the amount that is equal to the moneys available, as
determined by the department of administration, from the appropriation account
under s. 20.855 (4) (rb), divided by \$779,415,800. Payments in June 2003 shall be
made from the appropriation account under s. 20.855 (4) (rb).

SECTION 13. 79.02 (3) of the statutes is amended to read:

79.02 (3) Subject to s. 59.605 (4), payments to each municipality and county in November shall equal that municipality's or county's entitlement to shared revenues under ss. 79.03, 79.04, 79.05, 79.058, and 79.06 for the current year, minus the amount distributed to the municipality or county in July or, for distributions in 2003, on June 30, 2003. The total amount of the payments in July and November 2002 shall be \$779,415,800. The total amount of the payments in June and November 2003 shall be \$779,415,800.

SECTION 14. 79.03 (3c) (f) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

79.03 (3c) (f) Distribution amount. If the total amounts calculated under pars. (c) to (e) exceed the total amount to be distributed under this subsection, the amount paid to each eligible municipality shall be paid on a prorated basis. The total amount to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning in 1996 and ending in 1999; \$11,000,000 in the year 2000 and in the year 2001; \$11,110,000 in 2002; and \$11,221,100 in 2003 and in each year thereafter, less reductions under s. 79.085.

is amended to read:

1	SECTION 15. 79.03 (4) of the statutes, as affected by 2001 Wisconsin Act 16, is
2	amended to read:
3	79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and
4	79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be
5	distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300.
6	In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s.
7	20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this
8	section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to
9	municipalities and \$168,981,800 to counties. Beginning in 1995 and ending in 2001,
10	the total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835
11	(1) (d) are \$761,478,000 to municipalities and \$168,981,800 to counties. In 2002, the
12	total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. ss. 20.835
13	(1) (d) and 20.855 (4) (rb) are \$769,092,800 to municipalities, less reductions under
14	s. 79.085, and \$170,671,600 to counties, less reductions under s. 79.085. In 2003 and
15	subsequent years, the total amounts to be distributed under ss. 79.03, 79.04, and
16	79.06 from s. ss. 20.835 (1) (d) and, for distributions in 2003, 20.855 (4) (rb) are
17	\$776,783,700 \$769,092,800 to municipalities and \$172,378,300 \$170,671,600 to
18	counties, less reductions under s. 79.085.
19	SECTION 16. 79.03 (5) (a) of the statutes, as affected by 2001 Wisconsin Act 16,
20	is amended to read:
21	79.03 (5) (a) In 2002 and 2003, each municipality shall receive a shared
22	revenue payment that is equal to the amount of the payment it received in the
23	previous year, multiplied by 101% and less reductions under s. 79.085.
24	SECTION 17 79 058 (3) (d) of the statutes, as averted by 2001 Wisconsin Act 16

25

1	79.058 (3) (d) In 2002, \$20,971,400, less reductions under s. 79.085.	
2	SECTION 18. 79.058 (3) (e) of the statutes, as created by 2001 Wisconsin Act 16,	
3	is amended to read:	
4	79.058 (3) (e) In 2003 and subsequent years, \$21,181,100 \$20,971,400, less	
5	reductions under s. 79.085.	
6	SECTION 19. 79.06 (1) (b) of the statutes is amended to read:	
7	79.06 (1) (b) If the payments to any municipality or county under s. 79.03,	
8	excluding payments under s. 79.03 (3c), in 1986 or any year thereafter, except 2002	
9	are less than 95% of the combined payments to the municipality or county under thi	
10	section and s. 79.03, excluding payments under s. 79.03 (3c), for the previous year	
11	the municipality or county has an aids deficiency. The amount of the aids deficiency	
12	is the amount by which 95% of the combined payments to the municipality or county	
13	under this section and s. 79.03, excluding payments under s. 79.03 (3c), in the	
14	previous year exceeds the payments to the municipality or county under s. 79.03,	
15	excluding payments under s. 79.03 (3c), in the current year.	
16	SECTION 20. 79.085 of the statutes is created to read:	
17	79.085 Reductions. (1) CALCULATION. (a) The department of revenue shall	
18	determine the amount of the payments under ss. 79.03 (2), (3), and (3c) and 79.05 to	
19	be distributed to each municipality in 2002 and the amount of the payments under	
20	ss. 79.03 (2) and (3) and 79.058 to be distributed to each county in 2002.	
21	(b) The department of revenue shall reduce the amount of the payments to be	
22	distributed to each municipality and county, as determined under par. (a), by	
23	subtracting from such payments an amount based on population, as determined by	

the department, so that the total amount of the reduction to all such payments in

2002 is \$250,000,000, except that the reduction applied to any county's or

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1	municipality's payment shall not exceed the amount determined under par. (a) to be			
2	distributed to the municipality or county in 2002. Notwithstanding s. 79.005 (2), to			
3	calculate reductions under this paragraph, the department shall estimate			
4	population by using the 2000 federal decennial census.			
5	(c) The amount of the payments under ss. 79.03 (2), (3), and (3c) and 79.05 to			
6	be distributed to each municipality in 2003 and the amount of the payments unde			
7	ss. 79.03 (2) and (3) and 79.058 to be distributed to each county in 2003 shall be equa			
8	to the amount of such payments distributed to the municipality or county in 2002			
9	(2) REDUCTION PRIORITY. (a) For payments to counties in 2002 and 2003, after			
10	the department of revenue calculates the total reduction of payments to counties			
11	under sub. (1) (b), the department shall reduce the following payments, consistent			
12	with the calculation under par. (b), in the following order:			
13	1. Payments from the appropriation account under s. 20.835 (1) (f).			
14	2. Payments from the appropriation account under s. 20.835 (1) (d).			
15	(b) For payments to municipalities in 2002 and 2003, after the department of			
16	revenue calculates the total reduction of payments to municipalities under sub. (1)			
17	(b), the department shall reduce the following payments, consistent with the			
18	calculation under par. (b), in the following order:			
19	1. Payments from the appropriation account under s. 20.835 (1) (d).			
20	2. Payments from the appropriation account under s. 20.835 (1) (b).			
21	3. Payments from the appropriation account under s. 20.835 (1) (c).			
22	Section 9101. Nonstatutory provisions; administration.			
23	(1) PAYMENTS FROM PERMANENT ENDOWMENT FUND RELATING TO PUBLIC DEBT. When			

amending the schedule under section 20.004 (2) of the statutes, the department of

administration shall insert the amount of \$200,000,000 as the estimated

2.

expenditure amount for the appropriation under section 20.855 (4) (rm) of the statutes, as created by this act, in the 2001–02 fiscal year.

Section 9244. Appropriation changes; revenue.

- (1) General program operations; small municipalities shared revenue. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.835 (1) (b) of the statutes, as affected by the acts of 2001, the dollar amount is decreased by \$4,977,300 for fiscal year 2002–03 to decrease funding for the purpose for which the appropriation is made.
- (2) General program operations; expenditure restraint program. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.835 (1) (c) of the statutes, as affected by the acts of 2001, the dollar amount is decreased by \$25,483,400 for fiscal year 2002–03 to decrease funding for the purpose for which the appropriation is made.
- (3) General program operations, shared revenue. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.835 (1) (d) of the statutes, as affected by the acts of 2001, the dollar amount is decreased by \$543,567,900 for fiscal year 2002–03 to decrease funding for the purpose for which the appropriation is made.
- (4) GENERAL PROGRAM OPERATIONS; COUNTY MANDATE RELIEF. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.835 (1) (f) of the statutes, as affected by the acts of 2001, the dollar amount is decreased by \$20,971,400 for fiscal year 2002–03 to decrease funding for the purpose for which the appropriation is made.

Section 9459. Effective dates; other.

1 (1) PERMANENT ENDOWMENT FUND MONEYS. The repeal of section 20.855 (4) (rb)
2 of the statutes and the repeal and recreation of section 25.69 of the statutes take
3 effect on July 1, 2003.

(END)

STATE OF WISCONSIN – LEGISLATIVE REFERENCE BUREAU – LEGAL SECTION (608–266–3561)

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DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-4550/5dn RAC:hmh:kjf

January 15, 2002

This version of the draft takes out the schedule entry, which is not needed for the creation of sum-sufficient appropriations.

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E-mail: rick.champagne@legis.state.wi.us